

REMARKS

This Amendment is responsive to the Office Action dated September 21, 2005. Claims 1-17 were pending in the application. In the Office Action, claims 1-17 were rejected. In this Amendment, Claim 1, 2, 8, 13, 14, 16-17 were amended and claims 18-20 were added. Claims 1-20 thus remain for consideration.

Applicant submits that claims 1-20 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

Interview

Applicant would like to thank Examiner Lavinder for his time during a December 8, 2005 interview.

§ 103 Rejections

Claims 1-3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wiriath (US Patent Number 5,161,392) in view of Natural Stone Jewelry & Gifts by KVK Designs.

Claims 4-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meyrowitz (US Patent Number 5,228,316) in view of Natural Stone Jewelry & Gifts by KVK Designs.

Claims 1-12 and 15

As discussed during the December 8th interview, Examiner “agreed that the addition of the limitation to the transparency of the semi-precious stones along with

claiming the center stone between the semi-precious stones would be allowable because the transparent or translucent semi-precious stones allow light to enter the stones and direct light towards the center stone to enhance the brilliance of the center stone.”

Applicant therefore has amended claim 1 to include the above limitations. Accordingly, Applicant believes that independent claim 1 is patentable over Wiriath, KVK and Meyrowitz.

Claims 2-12 and 15 depend on claim 1. Since claim 1 is believed to be patentable over Wiriath, KVK and Meyrowitz, claims 2-12 and 15 are believed to be patentable over Wiriath, KVK and Meyrowitz on the basis of their dependency on claim 1.

Claim 13, 14 and 16, 18-20

As discussed during the December 8th interview, Examiner stated that “[A] proposed ... new claim similar to claim 17 directed toward the frictional engagement between the semi-precious stones and the cylindrical brace [would be allowable because] the prior art fails to show this type of engagement.” (Please see Figs. 3 and 4 for examples of this limitation.)

Applicant therefore has incorporated the above limitations into a new claim (Claim 18). Accordingly, Applicant believes that new independent claim 18 is patentable over Wiriath, KVK and Meyrowitz.

Claims 13, 14, 16, 19 and 20 depend on claim 18. Since claim 18 is believed to be patentable over Wiriath, KVK and Meyrowitz, claims 13, 14, 16, 19 and 20 are believed to be patentable over Wiriath, KVK and Meyrowitz on the basis of their dependency on claim 1.

Claim 17

Applicant has amended claim 17 to incorporate both allowable limitations discussed above. Accordingly, Applicant believes that independent claim 17 is patentable over Wiriath, KVK and Meyrowitz.

CONCLUSION

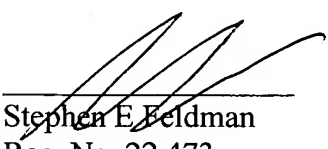
Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 06-0515.

Respectfully submitted,
Stephen E. Feldman, P.C.

By:



Stephen E. Feldman
Reg. No. 22,473
(212) 532-8585